

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCIS KAY ONSTAD,

Defendant.

CR-13-65-GF-BMM

ORDER

Francis Onstad filed a motion for early termination of supervision. (Doc. 407). The Court conducted a hearing on the motion on October 1, 2019. For the reasons below, the Court grants Onstad's motion.

Onstad pleaded guilty to Conspiracy to Defraud the United States, Conspiracy to Submit False Claims against the United States, Theft or Embezzlement from an Indian Tribal Government Receiving Federal Funding, and Federal Income Tax Evasion. (Doc. 137). The Court sentenced Onstad to 38 months imprisonment. (Doc. 249). Onstad began her term of supervised release on May 5, 2017. Onstad's probation officer reported that Onstad has complied with all of her supervision conditions, with the exception of restitution. Although Onstad makes monthly payments, she and her codefendants still owe approximately \$865,000 in restitution.

Federal law authorizes a defendant to move for termination of her supervised release after successfully completing one year if the Court is satisfied that such action remains “warranted by the conduct of the defendant and the interest of justice.” 18 U.S.C. § 3564(c). The Court must consider the factors in 18 U.S.C. § 3553(a) when evaluating whether to terminate a term of supervised release.

Onstad has complied with her supervision conditions and has demonstrated her ability to conform her conduct to the law. Onstad poses no threat to the community. Although she still owes restitution, Onstad continues to make monthly payments. The factors in 18 U.S.C. § 3553(a) support an early termination of Onstad’s supervised release.

Accordingly, **IT IS ORDERED:**

1. Defendant’s Motion for Early Termination of Supervised Release (Doc. 407) is **GRANTED**.

2. Defendant is **DISCHARGED** from supervised release.

DATED this 2nd day of October, 2019.



Brian Morris
United States District Court Judge